

AMENDMENTS TO THE DRAWINGS

Kindly amend the drawings, without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents, as follows:

The attached sheets (2) of drawings include Figures 1-4. These sheets replace the original sheets (2) including Figures 1 - 4.

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-13 and 32-40 are currently pending in this application. Claims 1-4, 9, 13, 32, 34-36 and 38 are hereby amended. Support for this amendment can be found throughout the application as originally filed. No new matter has been added.

Replacement sheets (2) including formal drawings (Figs. 1-4) in compliance with 37 C.F.R. §1.121(d) are included with this response.

II. REJECTIONS UNDER 35 U.S.C. §112

Claims 3 and 36 were rejected under 35 U.S.C. §112 as being improper. These claims have been amended in this response, thereby obviating this rejection.

III. REJECTIONS UNDER 35 U.S.C. §§ 102 & 103

Claims 1-10, 12-13, 32-33, 35-37 and 39-40 were rejected under 35 U.S.C. § 102(b) as being anticipated by European Patent EP 0960975 to Davenport et al. (hereinafter merely "Davenport").

Instant claim 1 recites, *inter alia*:

"A substrate ... comprising:
a plurality of individual preformed layers and a polymeric coating or impregnating material or rubber material that is part of each of said individual preformed layers,
wherein each individual preformed layer is a textile layer coated/impregnated with resin or the rubber material ..." (Emphasis added)

Accordingly, one embodiment of the instant invention is a substrate comprising a plurality of individual preformed layers and a polymeric coating or impregnating material or rubber material that is a part of each of these individual preformed layers. Further, each individual preformed layer is a textile layer coated/impregnated with resin or the rubber material i.e. the individual layers of preformed components are first coated or impregnated with a polymer resin and then combined to form the substrate of a belt for papermaking machine applications.

Davenport discloses a base support substrate, a first staple fiber batt attached to either the inner side or the outer side of the base support substrate and that extends at least partly therethrough, and a second staple fiber batt attached to the other side of the base support substrate and also extends at least partly therethrough. Together, the base support substrate and first and second staple fiber batts constitute a fiber/base composite structure. *Davenport*, paragraph 0015. Therefore, the substrate in Davenport is not composed of individual component layers, as recited in instant claim 1. On the contrary, Davenport clearly teaches that the fiber batt and second fiber batt extend at least partly through the substrate.

In the Office Action, the Examiner relies upon paragraph 0019 of Davenport, wherein it discloses: "The base support substrate may also be a laminated structure comprising two or more base layers, each of which may be one of the structures described above." However, the two or more base layers do not include a polymeric coating or impregnating material or rubber material as their component. Davenport fails to disclose that each of individual preformed layer is a textile layer coated/impregnated with resin or the rubber material, as recited in claim 1.

In fact, Davenport discloses that the only layers laminated together are the layers of the base support structure. Further, the layers are bound only at points where there are elements that

contain the "lower melting point" coating exist. Then this whole structure is coated with a resin on at least one side, which resin has a chemical affinity for the resin coating present on the yarns. Therefore, in Davenport, there is a support substrate with a coating on at least one side.

Applicant, however, submits that this structure is not a laminate.

Paragraphs 0036 and 0042 of the instant application clearly indicate that each layer that makes up the belt is laminated to an adjacent layer. Each layer has either a coating already, or has a layer of fusible material inserted between layers to allow lamination to take place (paragraphs 0038, 0042). It should also be noted that the instant technique causes a fairly complete lamination between adjacent layers (nearly 100% coverage). Finally, the laminate could have a further resin coating as disclosed in paragraph 44 of the instant specification.

Clearly, contrary to the Examiner's contention, Davenport fails to teach or suggest the above identified feature of claim 1. Specifically, Davenport does not disclose or suggest a substrate comprising a plurality of individual preformed layers and a polymeric coating or impregnating material or rubber material that is a part of each of these individual preformed layers, wherein each individual preformed layer is a textile layer coated/impregnated with resin or the rubber material, as recited in instant claim 1.

Claims 1-4, 6-11, 32-34, 37 and 39-40 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,753,085 to FitzPatrick.

FitzPatrick discloses a nip press belt having a textile substrate impregnated and coated on at least one side with a polymeric resin material. FitzPatrick does not disclose a multilayer structure as claimed in claim 1. The Examiner fails to show any teaching or suggestion of the above identified features in FitzPatrick, and therefore the rejections in view of FitzPatrick must be withdrawn.

Additionally, FitzPatrick fails to teach or suggest the above discussed feature of claim 1. Specifically, FitzPatrick does not disclose or suggest a substrate comprising a plurality of individual preformed layers and a polymeric coating or impregnating material or rubber material that is a part of each of these individual preformed layers, wherein each individual preformed layer is a textile layer coated/impregnated with resin or the rubber material, as recited in instant claim 1.

For at least the foregoing reasons, Applicant respectfully submits that claim 1 patentably distinguishes over the relied upon portions of Davenport and FitzPatrick, and therefore should be allowed. Since independent claim 32 is similar in scope to claim 1, it is also allowable for similar reasons.

IV. DEPENDENT CLAIMS

Claims 2-13 and 33-40 in this application are each dependent from one of the independent claims discussed above and are therefore patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Statements appearing above with respect to the disclosures in the cited references represent the present opinions of the Applicants' undersigned attorney and, in the event that the Examiner disagrees with any such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the respective reference providing the basis for a contrary view.

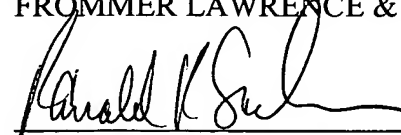
CONCLUSION

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable over the prior art, and an early and favorable consideration thereof is solicited.

Please charge any fees incurred by reason of this response and not paid herewith to
Deposit Account No. 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:



Ronald R. Santucci
Reg. No. 28,988
(212) 588-0800